

blink and not continue with their building, have proved out not to be true. Overcapacity and the attendant problems resulted from that.

We can prevent an arbitrary intrusion into some of our Nation's most productive fishing grounds if we can prevent the unnecessary degradation of valuable ocean treasures. We can present the potential navigational problems and the possible excessive security costs if we plan, if we get it right, if we forego this ad hoc approach. In the end if we follow a rational and regional siting process, it will expedite the introduction of new energy in the area. Public support will be much more likely. Litigation will be less likely. And legislative intervention or administrative interruption may be obviated.

Finally, Mr. Chairman, there are significant security concerns and risks that are associated with liquid natural gas offshore sites. The Coast Guard has informed us that no comprehensive assessment of security costs for LNG deep-water ports has been conducted. So what will it cost to protect one? What will it cost to protect 16? What will it cost to protect the related ships and crews, and who is going to pay or reimburse the taxpayers for all of this protection on the for-profit enterprise?

Companies indicate that they have not ever been approached about this, nor have they broached the subject. It is our duty as policymakers to address these issues to ensure that the right facilities are built as they are needed, that precious resources are reasonably protected, and that the cost of security be known and properly assessed.

Mr. Chairman, I hope that the point of order is not sustained so we can have these proper assessments of New England's energy needs and siting demands; and that we can also evaluate and apportion the cost of securing LNG facilities that are operating.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from Kentucky insist on his point of order?

Mr. ROGERS of Kentucky. I do, Mr. Chairman. I make a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill and, therefore, violates clause 2 of rule XXI which states in pertinent part: "An amendment to a general appropriations bill shall not be in order if changing existing law."

The amendment imposes additional duties and, therefore, violates the rule. I ask for a ruling from the Chair.

The CHAIRMAN. Does any other Member wish to be heard on the point of order? If not, the Chair is prepared to rule.

The Chair finds that this amendment requires new duties. The amendment, therefore, constitutes legislation in violation of clause 2 of XXI.

The point of order is sustained. The amendment is not in order.

Mr. ROGERS of Kentucky. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I yield to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Thank you, Mr. Chairman.

Mr. Chairman, expedited removal is an important tool which should be used on all illegal aliens, and that is why I am proposing in my legislation H.R. 5457, to overturn something known as the Orantes injunction. I cannot offer that as an amendment to this bill. It would be legislating on an appropriations bill, but I would like to briefly explain the injunction.

In 1988 in the midst of a 12-year civil war, the Federal District Court of Los Angeles issued an injunction which prohibited Salvadorans from being deported without a hearing before an immigration judge. This injunction is known as the Orantes injunction.

The civil war on El Salvador has long since ended; however, the Orantes injunction issued nearly 20 years ago has not been overturned and remains the practice today. Expansion of expedited removal has resulted in significant declines in the amount of apprehensions of other nationalities. However, due to the special treatment afforded to Salvadorans, their apprehensions have continued to rise.

This injunction is no longer warranted. El Salvador has been a country at peace since 1992. Under current expedited removal process, aliens are not automatically entitled to such a hearing and are immediately placed in the removal proceedings. In 2005, over 39,000 Salvadorans were apprehended, and current estimates suggest out of every one caught, four to five Salvadoran illegals penetrate our borders.

Mr. TANCREDO referred to the terrible problem with the MS-13 gangs, which are basically the Salvadoran gangs. It is a serious problem. Secretary Chertoff, the Homeland Security Secretary, has voiced his concern over this practice and he has indicated, "We have one big step left in order to complete this job and that is to get rid of a 20-year court order that is hampering our ability to use expedited removal with respect to people from El Salvador."

The Department of Homeland Security is subject to a number of such court-ordered permanent injunctions beyond Orantes issued in immigration cases as long as 30 years ago, and these long-standing injunctions severely impact the enforcement of the immigration laws.

My colleague, Representative BONILLA, is also sponsoring legislation that deals with these various injunctions, including Orantes, and his legislation should be supported as well.

AMENDMENT OFFERED BY MR. PICKERING

Mr. PICKERING. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. PICKERING:

Page 62, after line 17, insert the following: SEC. 503. None of the funds made available in this 2 Act may be used to award any contract for major disaster or emergency assistance activities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act except in accordance with section 307 of such Act (42 U.S.C. 5150).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Mississippi (Mr. PICKERING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Mississippi.

Mr. PICKERING. Mr. Chairman, I will be very brief.

This amendment simply makes sure that the local companies and local communities in hurricane regions will lead the way in the preparation, clean-up, recovery and building for the next storm season.

I want to thank the chairman for working with me on this amendment.

Mr. ROGERS of Kentucky. Mr. Chairman, will the gentleman yield?

Mr. PICKERING. I yield to the gentleman from Kentucky.

Mr. ROGERS of Kentucky. The gentleman has offered a very good amendment. It is a needed improvement, and I congratulate and thank the gentleman for being thoughtful and helpful in this regard.

Mr. PICKERING. Thank you, Mr. Chairman.

Mr. SABO. Mr. Chairman, will the gentleman yield?

Mr. PICKERING. I yield to the gentleman from Minnesota.

Mr. SABO. I concur in the chairman's comments. You have a good amendment, and I am glad to support it.

Mr. PICKERING. Thank you, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Mississippi (Mr. PICKERING).

The amendment was agreed to.

Mr. ROGERS of Kentucky. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KUH of New York) having assumed the chair, Mr. GILLMOR, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, had come to no resolution thereon.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. HASTINGS of Washington. Mr. Speaker, I offer a privileged concurrent resolution (H. Con. Res. 418) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 418

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Thursday, May 25, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, June 6, 2006, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever ever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, May 25, 2006, through Sunday, May 28, 2006, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, June 5, 2006, or such other time on that day as may be specified by its Majority Leader or his designee in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2007

The SPEAKER pro tempore. Pursuant to House Resolution 836 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 5441.

□ 2125

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 5441) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2007, and for other purposes, with Mr. GILLMOR in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, the amendment by the gentleman from Mississippi (Mr. PICKERING) had been disposed of and the bill had been read through page 62, line 17.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment by Mr. DEFAZIO of Oregon.

Amendment by Mr. MARSHALL of Georgia.

Amendment by Mr. NADLER of New York.

Amendment by Mr. TANCREDO of Colorado.

Pursuant to the order of the House of today, the Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. DEFAZIO

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Oregon (Mr. DEFAZIO) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 220, not voting 12, as follows:

[Roll No. 219]

AYES—200

Abercrombie	Gonzalez	Miller, George
Ackerman	Gordon	Moore (KS)
Allen	Green (WI)	Moore (WI)
Andrews	Green, Al	Moran (KS)
Baca	Green, Gene	Moran (VA)
Baird	Grijalva	Murtha
Baldwin	Gutierrez	Nadler
Barrow	Harman	Napolitano
Bean	Hastings (FL)	Neal (MA)
Becerra	Herseth	Nussle
Berkley	Higgins	Oberstar
Berry	Hinchey	Obey
Bishop (GA)	Hinojosa	Oliver
Bishop (NY)	Holden	Ortiz
Blackburn	Holt	Owens
Blumenauer	Honda	Pallone
Boren	Hooley	Pastor
Boswell	Inslee	Payne
Boucher	Israel	Pelosi
Brady (PA)	Jackson (IL)	Peterson (MN)
Brown (OH)	Jackson-Lee	Platts
Brown, Corrine	(TX)	Pomeroy
Butterfield	Jefferson	Rahall
Capps	Jindal	Ramstad
Capuano	Johnson, E. B.	Rangel
Cardin	Jones (NC)	Reyes
Cardoza	Jones (OH)	Ross
Carmahan	Kanjorski	Rothman
Carson	Kaptur	Rush
Case	Kennedy (MN)	Ryan (OH)
Chandler	Kildee	Salazar
Clay	Kilpatrick (MI)	Sánchez, Linda
Cleaver	Kind	T.
Clyburn	Kucinich	Sanchez, Loretta
Conyers	Langevin	Sanders
Cooper	Lantos	Schakowsky
Costa	Larsen (WA)	Schiff
Costello	Larson (CT)	Schwartz (PA)
Cramer	Leach	Scott (GA)
Crowley	Lee	Scott (VA)
Cuellar	Levin	Shadegg
Cummings	Lewis (GA)	Sherman
Davis (AL)	Lipinski	Skelton
Davis (CA)	Lofgren, Zoe	Slaughter
Davis (FL)	Lowe	Smith (WA)
Davis (IL)	Lynch	Solis
Davis (TN)	Maloney	Spratt
DeFazio	Markey	Stark
DeGette	Marshall	Strickland
Delahunt	Matheson	Stupak
DeLauro	Matsui	Tancredo
Dent	McCarthy	Tanner
Dicks	McCollum (MN)	Tauscher
Dingell	McDermott	Taylor (MS)
Doggett	McGovern	Thompson (CA)
Doyle	McIntyre	Thompson (MS)
Emanuel	McKinney	Tierney
Engel	McNulty	Towns
Etheridge	Meehan	Udall (CO)
Farr	Meek (FL)	Udall (NM)
Fattah	Meeke (NY)	Van Hollen
Filner	Melancon	Velázquez
Forbes	Michaud	Wasserman
Ford	Millender-Schultz	
Frank (MA)	McDonald	Waters
Gerlach	Miller (NC)	Watson

Watt
WeinerWexler
WoolseyWu
Wynn

NOES—220

Aderholt	Gingrey	Oxley
Akin	Gohmert	Pascarell
Alexander	Goode	Pearce
Bachus	Goodlatte	Pence
Baker	Granger	Peterson (PA)
Barrett (SC)	Graves	Petri
Bartlett (MD)	Gutknecht	Pickering
Barton (TX)	Hall	Pitts
Bass	Harris	Poe
Beauprez	Hart	Pombo
Biggert	Hastings (WA)	Porter
Bilirakis	Hayes	Price (GA)
Bishop (UT)	Hayworth	Price (NC)
Blunt	Hefley	Pryce (OH)
Boehlert	Hensarling	Putnam
Boehner	Herger	Radanovich
Bonilla	Hobson	Regula
Bonner	Hoekstra	Rehberg
Bono	Hostettler	Reichert
Boozman	Hoyer	Renzi
Boustany	Hulshof	Reynolds
Boyd	Hunter	Rogers (AL)
Bradley (NH)	Hyde	Rogers (KY)
Brady (TX)	Inglis (SC)	Rogers (MI)
Brown (SC)	Issa	Rohrabacher
Brown-Waite,	Istook	Ros-Lehtinen
Ginny	Jenkins	Roybal-Allard
Burgess	Johnson (CT)	Royce
Burton (IN)	Johnson (IL)	Ruppersberger
Buyer	Johnson, Sam	Ryan (WI)
Calvert	Keller	Ryun (KS)
Camp (MI)	Kelly	Sabo
Campbell (CA)	King (IA)	Saxton
Cannon	King (NY)	Schmidt
Cantor	Kingston	Schwarz (MI)
Capito	Kirk	Sensenbrenner
Carter	Kline	Serrano
Castle	Knollenberg	Sessions
Chabot	Kolbe	Shaw
Chocola	Kuhl (NY)	Shays
Coble	LaHood	Sherwood
Cole (OK)	Latham	Shimkus
Conaway	LaTourette	Shuster
Crenshaw	Lewis (CA)	Simmons
Cubin	Lewis (KY)	Simpson
Culberson	Linder	Smith (NJ)
Davis (KY)	LoBiondo	Smith (TX)
Davis, Tom	Lucas	Sodrel
Deal (GA)	Lungren, Daniel	Souder
Diaz-Balart, L.	E.	Stearns
Diaz-Balart, M.	Mack	Sullivan
Doolittle	Manzullo	Sweeney
Drake	Marchant	Taylor (NC)
Dreier	McCaul (TX)	Terry
Duncan	McCotter	Thomas
Edwards	McCrery	Thornberry
Ehlers	McHenry	Tiahrt
Emerson	McHugh	Tiberi
English (PA)	McKeon	Turner
Everett	McMorris	Upton
Feeney	Mica	Visclosky
Ferguson	Miller (FL)	Walden (OR)
Fitzpatrick (PA)	Miller (MI)	Walsh
Foley	Miller, Gary	Wamp
Fortenberry	Murphy	Weldon (FL)
Fossella	Musgrave	Weldon (PA)
Fox	Myrick	Weller
Franks (AZ)	Neugebauer	Westmoreland
Frelinghuysen	Ney	Whitfield
Gallegly	Northup	Wicker
Garrett (NJ)	Norwood	Wilson (NM)
Gibbons	Nunes	Wolf
Gilchrest	Osborne	Young (AK)
Gillmor	Otter	Young (FL)

NOT VOTING—12

Berman	Evans	Paul
Davis, Jo Ann	Flake	Snyder
DeLay	Kennedy (RI)	Waxman
Eshoo	Mollohan	Wilson (SC)

□ 2150

Mrs. WILSON of New Mexico and Mr. WELDON of Florida changed their vote from “aye” to “no.”

Mrs. BLACKBURN and Mr. HINOJOSA changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.